

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MS JUSTICE G.ROHINI
WRIT PETITION NO : 17153 of 2004

Between:

R.V. Recreation Club Private Limited, Paloncha, Khammam District,
rep. by its Secretary S. Suresh

S/o Rama Murthy, aged 25 years, R/o H.No. G-150, New Paloncha,
Khammam District.

..... PETITIONER

AND

1 The Superintendent of Police, Khammam, Khammam District.

2 The Station House Officer, Town Police Station, Paloncha,
Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner club as being arbitrary, illegal, unconstitutional and contrary to the judgment of the Hon'ble Supreme Court in State of A.P. Vs K. Satyanarayana reported in AIR 1968 SC 825 and in 2002 (5) ALT (DB) page 805 and consequently direct the respondents not to interfere with the playing of rummy with stakes/syndicate by the members of the petitioner club within the club premises

Counsel for the Petitioner: MR.PALLENAGESWAR RAO

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

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ORDER:

In the writ petition, the petitioner is seeking a Writ of Mandamus declaring the action of the respondents in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner Club as arbitrary and illegal and consequently direct the respondents not to interfere with the playing of rummy with stakes/syndicate by the members of the petitioner Club within the Club premises.

Heard both sides.

It has been represented by the learned counsel for the petitioner and also by the learned Government Pleader for Home that the issue involved in this writ petition is squarely covered by a Judgment of Division Bench of this Court in Writ Appeal No.1167 of 2002, dated 29.07.2002, wherein it is held as follows:

“Therefore, the police authorities cannot obstruct the writ petitioner-club from conducting card room where the members and guests of the writ petitioner’s cultural center are allowed to play the game of rummy with stakes syndicate (thirteen card game). At the same time, we make it clear that the police is always at liberty to enter the premises and check as to whether the cultural center of the club is conducting card room where the members and guests of the petitioner’s cultural center are playing the game of rummy with stakes/syndicate (thirteen card game), for the purpose of verification. If they receive any intimation, the police may enter the club and verify the same and proceed further if the members

and guests of writ petitioner's cultural center play other than the game of rummy with stakes syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which already registered. The Writ Appeal is disposed of accordingly."

Following the same and for the reasons mentioned therein, the writ petition is disposed of in terms of the above decision of the Division Bench. No costs.

23-09-2004

klp

To

1 The Superintendent of Police, Khammam, Khammam District.

- 2 The Station House Officer, Town Police Station, Paloncha, Khammam District.
- 3 2CCs to G.P. for Home, High Court buildings, Hyderabad.(OUT).
- 4 2CD copies